



February 10, 2009

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## HOUSE BILL No. 1348

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DIGEST OF HB 1348 (Updated February 4, 2009 5:32 pm - DI 69)

**Citations Affected:** IC 22-13.

**Synopsis:** Energy conservation codes and standards. Requires the fire prevention and building safety commission to adopt the most recent edition of the: (1) International Energy Conservation Code as published by the International Code Council; or (2) American Society of Heating, Refrigerating, or Air-Conditioning Engineers Standard 90.1; for Class 1 structures before July 1, 2010. Requires the commission to adopt any subsequent equivalent editions of the code or standard not later than two years after the effective date of the subsequent edition.

**Effective:** Upon passage.

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**Dvorak, Ruppel, Pierce**

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January 13, 2009, read first time and referred to Committee on Environmental Affairs.  
February 9, 2009, amended, reported — Do Pass.

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HB 1348—LS 6967/DI 87+



February 10, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## HOUSE BILL No. 1348

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 22-13-2-2, AS AMENDED BY P.L.101-2006,  
2 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 2. (a) The commission shall adopt rules under  
4 IC 4-22-2 to adopt a statewide code of fire safety laws and building  
5 laws.  
6 (b) Before December 1, 2003, the commission shall adopt the most  
7 recent edition, including addenda, of the following national codes by  
8 rules under IC 4-22-2 and IC 22-13-2.5 (before its repeal):  
9 (1) ANSI A10.4 (Safety Requirements for Personnel Hoists).  
10 (2) ASME A17.1 (Safety Code for Elevators and Escalators, an  
11 American National Standard).  
12 (3) ASME A18.1 (Safety Standard for Platform Lifts and Stairway  
13 Chairlifts, American National Standard).  
14 (4) ASME QEI-1 (Standard for the Qualification of Elevator  
15 Inspectors, an American National Standard).  
16 (5) The American Society of Civil Engineers (ASCE) Automated  
17 People Mover Standard 21.

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(6) ANSI A90.1 Safety Code for Manlifts.

(c) Before July 1, 2006, the commission shall adopt the most recent edition, including addenda, of ASME A17.3 (Safety Code for Existing Elevators and Escalators, an American National Standard) by rules under IC 4-22-2 and IC 22-13-2.5 (before its repeal).

(d) The commission shall adopt the subsequent edition of each national code, including addenda, to be adopted as provided under subsections (b) and (c) within eighteen (18) months after the effective date of the subsequent edition.

(e) The commission may amend the national codes as a condition of the adoption under subsections (b), (c), and (d).

(f) To the extent that the following sections of the International Fire Code, 2000 edition, as adopted by reference in 675 IAC 22-2.3-1, apply to tents or canopies in which cooking does not occur, the commission shall suspend enforcement of the following sections of the International Fire Code, 2000 edition, until the division of fire and building safety recommends amendments to the commission under subsection (h) and the commission adopts rules under subsection (i) based on the recommendations:

(1) Section 2406.1 (675 IAC 22-2.3-233).

(2) Section 2406.2.

(3) Section 2406.3.

(g) To the extent that section 2403.2 of the International Fire Code, 2000 edition, as adopted by reference in 675 IAC 22-2.3-1, applies to a tent or canopy in which there is an open flame, the commission shall suspend enforcement of section 2403.2 until the division of fire and building safety recommends amendments to section 2403.2 to the commission under subsection (h) and the commission adopts rules under subsection (i) based on the recommendations and amending section 2403.2.

(h) The division of fire and building safety shall recommend amendments to the commission to the following sections of the International Fire Code, 2000 edition, as adopted by reference in 675 IAC 22-2.3-1:

(1) Section 2403.2.

(2) Section 2406.1 (675 IAC 22-2.3-233).

(3) Section 2406.2.

(4) Section 2406.3.

(i) After receiving and considering recommendations from the division of fire and building safety under subsection (h), and using the procedure set forth in IC 4-22-2-38, the commission shall amend the following sections of the International Fire Code, 2000 edition, as

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1 adopted by reference in 675 IAC 22-2.3-1:

2 (1) Section 2403.2.

3 (2) Section 2406.1 (675 IAC 22-2.3-233).

4 (3) Section 2406.2.

5 (4) Section 2406.3.

6 **(j) Before July 1, 2010, the commission shall adopt the most**  
7 **recent edition, including addenda, of the:**

8 **(1) International Energy Conservation Code (IECC), as**  
9 **published by the International Code Council for Class 1**  
10 **structures; or**

11 **(2) American Society of Heating, Refrigerating, and**  
12 **Air-Conditioning Engineers Standard 90.1 for Class 1**  
13 **structures;**

14 **by rules under IC 4-22-2. The commission shall adopt any**  
15 **subsequent equivalent edition of the code or standard, including**  
16 **addenda, under IC 4-22-2, not later than two (2) years after the**  
17 **effective date of the subsequent edition. The commission may**  
18 **amend the code or standard as a condition of adoption under this**  
19 **subsection.**

20 **SECTION 2. An emergency is declared for this act.**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1348, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 6 through 13, begin a new paragraph and insert:

**"(j) Before July 1, 2010, the commission shall adopt the most recent edition, including addenda, of the:**

**(1) International Energy Conservation Code (IECC), as published by the International Code Council for Class 1 structures; or**

**(2) American Society of Heating, Refrigerating, and Air-Conditioning Engineers Standard 90.1 for Class 1 structures;**

**by rules under IC 4-22-2. The commission shall adopt any subsequent equivalent edition of the code or standard, including addenda, under IC 4-22-2, not later than two (2) years after the effective date of the subsequent edition. The commission may amend the code or standard as a condition of adoption under this subsection."**

and when so amended that said bill do pass.

(Reference is to HB 1348 as introduced.)

DVORAK, Chair

Committee Vote: yeas 11, nays 0.

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